

IN THE UNITED STATES DISTRICT COURT FOR
THE EASTERN DISTRICT OF PENNSYLVANIA

Vamsidhar R. Vurimindi
313 Arch St., Unit 607
Philadelphia, PA 19106

Plaintiff

Civil Action

NO: _____

09 - 5976

V.

Mr. Dan Achek

1009 Jones Rd, Gulph Mills, PA 19428,

Mrs. Maya Maha Elkansa

1009 Jones Rd, gulph Mills, PA 19428,

M/s. Achek Design & Construction Co, Inc.

1009 Jones Rd, Gulph Mills, PA 19428,

Mr. Alex Lopez

239-265 West Bristol St., Phila., PA 19140,

ALX General Construction LLC

5071 Whitaker Ave., Phila., PA 19140,

Mr. Henry I. Langsam

1616 Walnut St., Ste. 1700, Phila., PA 19103,

Mr. Bart Sacks

199 West Johnson Hwy., East Norriton, PA 19401,

S & L Investments

307 Florence Ave., Apt. 107, Jenkintown, PA 19046,

Mrs. Juliet Whelan

813 S. 4th St., Phila., PA 19147,

Mr. James Gabriel

Plans Examiner, Dept. of L & I

1401 JFK Blvd, Phila., PA 19102,

Mr. Edward Devlin

Inspector Trainee, Dept. of L & I, North Dist.

601 W. Lehigh, Phila., PA 19133,

Mrs. Frances Burns, Commissioner

Dept. L & I

1401 JFK Blvd. 11th Flr., Phila., PA 19102 and

City of Philadelphia, c/o City Solicitor's Office

One Parkway, 1515 Arch St., 15th Flr., Phila., PA 19102

Defendants,

Formerly

Court of Common Pleas
Philadelphia County
Trial Division - Civil
August Term 2009
No. 001271

FILED
DEC 16 2009
MICHAEL E. KUNZ, Clerk
By _____ Dep. Clerk

NOTICE OF REMOVAL

To the Honorable Judges of the United States District Court for the Eastern District of Pennsylvania.

Pursuant to 28 U.S.C. § 1441, defendants, James Gabriel, Edward Devlin, Frances Burns and City of Philadelphia (hereinafter "petitioners") through their counsel, Jeffrey S. Simons, Assistant City Solicitor, respectfully petition for the removal of this action to the United States

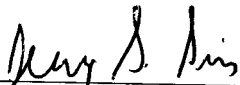
District Court for the Eastern District of Pennsylvania. In support thereof, defendants state the following:

1. In August 2009, plaintiff initiated this action by a Complaint in the Court of Common Pleas in Philadelphia, August 2009, No. 001271. (Exhibit A - Complaint).
2. On November 17, 2009, said Complaint was served on Petitioners electronically at 1515 Arch Street, 14th Floor, Philadelphia, Pennsylvania.
3. Plaintiff alleges that on September 13, 2008 , he sustained damages when his civil rights were violated by the defendants. (Exhibit A).
4. This action may be removed to this Court pursuant to 28 U.S.C. § 1441 since Plaintiff's Complaint contains allegations of violations of the plaintiff's Federal Civil Rights and seeks relief under 42 U.S.C. § 1983. (Exhibit A)

Wherefore, petitioners, James Gabriel, Edward Devlin, Frances Burns and City of Philadelphia, respectfully request that the captioned Complaint be removed to the United States District Court for the Eastern District of Pennsylvania.

Respectfully submitted,

Craig Straw
Chief Deputy City Solicitor



JEFFREY S. SIMONS
Assistant City Solicitor
Attorney I.D. No. 93784
1515 Arch Street, 14th Floor
Philadelphia, PA 19102
215-683-5443

Date: 12/15/09

IN THE UNITED STATES DISTRICT COURT FOR
THE EASTERN DISTRICT OF PENNSYLVANIA

Vamsidhar R. Vurimindi
313 Arch St., Unit 607
Philadelphia, PA 19106

Plaintiff

Civil Action

NO: _____

V.

Mr. Dan Achek

1009 Jones Rd, Gulph Mills, PA 19428,

Mrs. Maya Maha Elkansa

1009 Jones Rd, gulph Mills, PA 19428,

M/s. Achek Design & Construction Co, Inc.

1009 Jones Rd, Gulph Mills, PA 19428,

Mr. Alex Lopez

239-265 West Bristol St., Phila., PA 19140,

ALX General Construction LLC

5071 Whitaker Ave., Phila., PA 19140,

Mr. Henry I. Langsam

1616 Walnut St., Ste. 1700, Phila., PA 19103,

Mr. Bart Sacks

199 West Johnson Hwy., East Norriton, PA 19401,

S & L Investments

307 Florence Ave., Apt. 107, Jenkintown, PA 19046,

Mrs. Juliet Whelan

813 S. 4th St., Phila., PA 19147,

Mr. James Gabriel

Plans Examiner, Dept. of L & I

1401 JFK Blvd, Phila., PA 19102,

Mr. Edward Devlin

Inspector Trainee, Dept. of L & I, North Dist.

601 W. Lehigh, Phila., PA 19133,

Mrs. Frances Burns, Commissioner

Dept. L & I

1401 JFK Blvd. 11th Flr., Phila., PA 19102 and

City of Philadelphia, c/o City Solicitor's Office

One Parkway, 1515 Arch St., 15th Flr., Phila., PA 19102

Defendants

Formerly

Court of Common Pleas

Philadelphia County

Trial Division - Civil

August Term 2009

No. 001271

NOTICE OF FILING OF REMOVAL

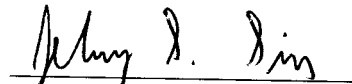
TO: Melissa A. Montgomery, Esq.
1500 Market St., Suite 2920
Philadelphia, PA 19102

Douglas Evan Ress
1717 Arch St., Suite 3710
Philadelphia, PA 19103

Paul Cottrell
One Customs House, Suite 500
704 King Street
P. O. Box 1031
Wilmington, DE 19899

PLEASE TAKE NOTICE THAT on December 15, 2009, defendants, James Gabriel, Edward Devlin, Frances Burns and City of Philadelphia filed, in the office of the Clerk of the United States District Court for the Eastern District of Pennsylvania a verified Notice of Removal.

A copy of this Notice of Removal is attached hereto and is also being filed with the Clerk of the Court of Common Pleas of Philadelphia County, pursuant to Title 28, United States Code, Section 1446(e).

A handwritten signature in black ink, appearing to read "Jeffrey S. Simons", is written over a horizontal line.

JEFFREY S. SIMONS

Assistant City Solicitor

Attorney I.D. No. 93784

City of Philadelphia Law Department

1515 Arch Street, 14th Floor

Philadelphia, PA 19102

215-683-5443

IN THE UNITED STATES DISTRICT COURT FOR
THE EASTERN DISTRICT OF PENNSYLVANIA

Vamsidhar R. Vurimindi
313 Arch St., Unit 607
Philadelphia, PA 19106

Plaintiff

Civil Action

NO: _____

V.

Mr. Dan Achek

1009 Jones Rd, Gulph Mills, PA 19428,

Mrs. Maya Maha Elkansa

1009 Jones Rd, gulph Mills, PA 19428,

M/s. Achek Design & Construction Co, Inc.

1009 Jones Rd, Gulph Mills, PA 19428,

Mr. Alex Lopez

239-265 West Bristol St., Phila., PA 19140,

ALX General Construction LLC

5071 Whitaker Ave., Phila., PA 19140,

Mr. Henry I. Langsam

1616 Walnut St., Ste. 1700, Phila., PA 19103,

Mr. Bart Sacks

199 West Johnson Hwy., East Norriton, PA 19401,

S & L Investments

307 Florence Ave., Apt. 107, Jenkintown, PA 19046,

Mrs. Juliet Whelan

813 S. 4th St., Phila., PA 19147,

Mr. James Gabriel

Plans Examiner, Dept. of L & I

1401 JFK Blvd, Phila., PA 19102,

Mr. Edward Devlin

Inspector Trainee, Dept. of L & I, North Dist.

601 W. Lehigh, Phila., PA 19133,

Mrs. Frances Burns, Commissioner

Dept. L & I

1401 JFK Blvd. 11th Flr., Phila., PA 19102 and

City of Philadelphia, c/o City Solicitor's Office

One Parkway, 1515 Arch St., 15th Flr., Phila., PA 19102

Defendants,

Formerly

Court of Common Pleas

Philadelphia County

Trial Division - Civil

August Term 2009

No. 001271

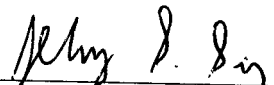
CERTIFICATE OF SERVICE

I, Jeffrey S. Simons, Assistant City Solicitor do hereby certify that a true and correct copy of the attached Notice of Removal has been served upon the following by First Class Mail, postpaid, on the date indicated below:

TO: **Melissa A. Montgomery, Esq.**
1500 Market St., Suite 2920
Philadelphia, PA 19102

Paul Cottrell
One Customs House, Suite 500
704 King Street
P.O. Box 1031
Wilmington, DE 19899

Douglas Evan Ress
1717 arch St., Suite 3710
Philadelphia, PA 19103


Jeffrey S. Simons
Assistant City Solicitor
City of Philadelphia Law Department
1515 Arch Street, 14th Floor
Philadelphia, PA 19102
215-683-5443

Date: 12/15/09